



Administrative Progress Report (APR)

November 2004

To: POST Commissioners and Advisory Committee

From: KENNETH J. O'BRIEN
Executive Director

The APR is a monthly status report intended to inform POST Commissioners and law enforcement officials of recent progress on projects and instructional programs currently under development at POST.

NEW MASTER INSTRUCTOR CLASS CONTRIBUTING SIGNIFICANTLY TO COURSE DEVELOPMENT IN CRITICAL TRAINING AREAS

Master Instructor Development Program (MIDP) Class 18 completed its Learning Contract Workshop in mid-November. At the workshop, the Master Instructor candidates finalized the subjects of the 24-hour courses each will develop during the ensuing year. The members of this class have collaborated with POST staff in the development of their respective course projects. This coordination will yield courses that address existing law enforcement training needs, and enable the students to attain success in the presentation of their courses. The topic breakdowns among the 19 students comprising Class 18 are as follows: terrorism (4), tactics (3), use of force (3), follow-up investigation (3), basic academy instruction (2), communications (2), juvenile procedures (1), and training management (1).

Questions about the MIDP may be directed to Senior Consultant Mike Hooper, Training Program Services Bureau, at (916) 227-3912 or by email at Mike.Hooper@post.ca.gov.

MIDP GRADUATE TO INSTRUCT FOR STATE DEPARTMENT

San Diego Sheriff's Lieutenant George Beitey, a graduate of Master Instructor Development Program Class 7, has been hired by the U.S. State Department's Anti-Terrorism Assistance Program to present two courses to police officers in Nairobi, Kenya. He has also been asked to create lesson plans for additional anti-terrorism courses to be delivered to other third-world countries in the future.

George's status as a Master Instructor came to the attention of local High Intensity Drug Trafficking Area (HIDTA) officials who then contacted the State Department with a recommendation that he be commissioned to present courses on Interview and Interrogation Techniques, and Maritime Piracy. He will be teaching in Africa in January and February 2005.

George has been a trainer with his department for 15 years and graduated from the MIDP in 1998. Since graduating, he has been a presenter at the annual Instructor Symposium sponsored by the Community College Chancellor's Office and POST. Pending grant funding, George will coordinate the 2005 Instructor Symposium in San Diego after he completes his assignment in Kenya.

Questions about the MIDP may be directed to Senior Consultant Mike Hooper, Training Program Services Bureau, at (916) 227-3912 or by email at Mike.Hooper@post.ca.gov.

EXAMS CONDUCTED FOR SENIOR LAW ENFORCEMENT AND LAW ENFORCEMENT CONSULTANT POSITIONS

POST's Personnel Office recently completed both the departmental promotional examination for Senior Law Enforcement (i.e., Bureau Chief) and open examinations for the Law Enforcement Consultants I and II. The examinations were conducted to establish an eligible candidate list to fill anticipated vacancies due to retirements. POST also intends to use these lists if budget change proposals are approved for Fiscal Year 2005-06.

The Personnel Office is also conducting open examinations for the Personnel Selection Consultants I and II classifications. The examinations are scheduled for December 2004.

Questions regarding these examinations may be directed to Personnel Officer Miriam Townsend, Administrative Services Bureau, at (916) 227-3907 or by email at Miriam.Townsend@post.ca.gov.

POST PEACE OFFICER PRE-EMPLOYMENT PSYCHOLOGICAL SCREENING MANUAL TOPIC OF INVITED ADDRESS AT IACP CONFERENCE

The revisions to the POST peace officer pre-employment psychological screening standards and procedures were the topic of an invited presentation before the International Association of Chiefs of Police (IACP) Psychological Services Section at their Los Angeles Conference on November 14, 2004. Staff member Dr. Shelley Spilberg presented an overview of the project's philosophy, goals and methodology.

Presentations were also made by project subject matter experts, including: (1) Results of the meta-analytic validation study (2) Selection and Training of Psychological Screeners, and associated Ethical Issues (3) Use of Personal History Information; (4) Psychological Interviews and (5) Evaluation Protocols. Slides and overheads for all presentations can be downloaded at <http://www.post.ca.gov/IACP-Nov2004/>.

Questions about the project can be directed to Senior Personnel Selection Consultant Shelley Spilberg, Standards and Evaluation Services Bureau, at (916) 227-4824 or by email at Shelley.Spilberg@post.ca.gov.

POST LAUNCHES FIRST-LINE SUPERVISORS' WORKSHOP TO SUPPORT NEW LINE-UP TRAINING PROGRAM

POST has developed a 16-hour workshop to train first-line supervisors (usually sergeants) to properly implement the new DVD-based *Line-Up Training Program*. The facilitators' workshop will provide first-line supervisors with an understanding of the new *Line-Up Training Program*, facilitation techniques, sample group interaction methods, techniques for engaging officers in training, and the importance of adhering to local agency policy and procedure.

The POST *Line-Up Training Program* training sessions are designed to satisfy continuing professional training (CPT) requirements using a standardized approach to line-up training using high-quality, interactive digital video disc (DVD) technology in small group settings. The program relies upon first-line supervisors, who serve as instructors in line-up training. Key to the program is the incorporation of interactive discussions designed around job-related scenarios that engage veteran officers in practical problem-solving exercises based on agency policy. Topics for the program include officer safety, enforcement of the law, seizure of evidence, tactical response, use of force and ethical decision making. Officers may earn up to 20 hours of continuing professional training (CPT) credit using the program internally without having to attend off-site training.

The first-line supervisors' workshop will be certified as a Plan IV course and participants will receive 16 hours of CPT credit. Agencies interested in participating in the program should contact workshop coordinators Robert Ziglar or Eirean Del Bonita, Cabrillo College, at (831) 479-6468 or by email at roziglar@cabrillo.edu.

Questions about the Line-Up Training Program may be directed to Senior Consultant Jody Buna, Training Program Services Bureau, at (916) 227-4896 or by email at Jody.Buna@post.ca.gov.

POST COMMAND COLLEGE

The POST Command College Class 38 will commence on December 5, 2004, in Oxnard, California. Management personnel from 21 California agencies will meet throughout 2005, and are scheduled to graduate in March 2006.

Command College Class 39 is scheduled to begin on May 15, 2005. At this time, several applicants have been assigned to the class; however, more applicants are needed to fill the class. To receive a Command College application, contact Office Technician Toni Little, Center for Leadership Development Bureau, at (916) 227-2816 or by email at Toni.Little@post.ca.gov.

Questions about the Command College may be directed to Senior Consultant John Dineen, Management Counseling Services Bureau, at (916) 227-4549 or by email at John.Dineen@post.ca.gov.

NEW BASIC COURSE WRITTEN TESTING REQUIREMENTS FOR POLICING IN THE COMMUNITY BEING FULFILLED

On August 15, 2004, following a year-long effort, the *Training and Testing Specifications* for POST's Basic Course Learning Domain 3 were refocused from "Community Relations" to "Policing in the Community." Included in this change was the requirement to assess student mastery in three Basic Courses: the Regular Basic Course, the PC 832 Powers of Arrest Course, and the Requalification Course. The specifications require that all assessments of this domain be via a written test. Heretofore, a written test was not required for this domain.

The student workbook for Learning Domain 3 was revised to meet the new training specifications and was published in September 2004. At that time, POST staff, in conjunction with Subject Matter Experts, developed a bank of test items to assess student mastery of the domain content. These items have been assembled into multiple test forms and are currently being trial administered to students in the Regular Basic Course. Trial testing will continue until March 2005, at which time sufficient data will be available to evaluate the items, compile the final operational forms of the exam, and establish a defensible passing standard.

Questions about this testing effort may be directed to Senior Personnel Selection Consultant Ken Krueger, Standards and Evaluation Services Bureau, at (916) 227-2810, or by email at Ken.Krueger@post.ca.gov.

REGIONAL SKILLS TRAINING CENTERS

The number of students trained at the Regional Skills Training Centers since the program was implemented in Fiscal Year 2000-2001, now totals 42,826 sworn officers and 5,231 non-sworn personnel. Currently, there are 28 Regional Skills Training Centers (RSTC), of which 21 centers offer both driving and force options simulator training. Seven training centers offer either driving or force options training only.

The Regional Skills Training Centers were developed to facilitate the perishable skills training requirement. The Centers have also made training available to personnel other than sworn, specifically, academy recruits and reserve officers. The use of force options and driving simulators are a training resource in decision-making and for the evaluation of academy cadets and reserve officers.

Recent computer and equipment upgrades provided by POST have helped the Centers keep pace with the ever-increasing computer technology simulator field and provided the capability for "less than lethal" tactical training (Taser, bean-bag rounds). POST has begun scheduling reviews by experienced instructors to ensure ongoing excellence in training at the Centers.

Questions about the Regional Skills Training Centers may be directed to Special Consultant Ollie Sansen, Training Program Services Bureau, at (916) 227-4895 or by email at Ollie.Sansen@post.ca.gov.

MEET POST STAFF - MICHELLE NEAL

Office Technician Michelle Neal serves in one of POST's most vital and visible position as the Administrative Services Bureau's (ASB) front desk receptionist and Bureau Secretary. Michelle has been at POST since January 13, 2001.

Prior to her appointment at POST, Michelle worked at the Governor's Office of Emergency Services. She also worked at the Department of Motor Vehicles, Department of Food and Agriculture, and the Department of General Services. Michelle will have worked for the State of California for 28 years in January 2005.

Michelle is very involved in church activities, takes great pride in keeping herself fit and trim, dotes on her daughter, and loves to sing. She is very well known at POST for her positive sayings such as "Marvelous Monday," and "Terrific/Tremendous Tuesday." Because of her positive attitude, friendliness, and outgoing personality, Michelle received POST's Uncle Ellen Friendly Award in December 2002. The Uncle Ellen Friendly Award is named after Ellen Stetson, a highly-regarded POST consultant, who passed away in 1992.

POST employees appreciate Michelle's enthusiasm in doing her job.

MASTER CALENDAR ON THE POST WEBSITE

Due to security concerns, the Master Calendar is located within the Flagship Network on the POST website. The Flagship Network is an electronic bulletin board for the Commission and sworn law enforcement personnel that is accessed through a user identification and password.

Information about obtaining access is located at www.post.ca.gov/library/p_ch/flagship_bb.asp. If you have access to the network but have forgotten your user identification or password, please send an email to Phyl.Barrus@post.ca.gov.

LEGISLATIVE UPDATE

Information regarding bills with a Commission position appears on the following pages. The POST website provides access to legislative information as follows:

Assembly Bills of interest to law enforcement:

- By Assembly Bill Number: <http://www.post.ca.gov/about/legislation/AssemblyBills.pdf>
- By Author Name: <http://www.post.ca.gov/about/legislation/AssemblyAuthors.pdf>

Senate Bills of interest to law enforcement:

- By Senate Bill Number: <http://www.post.ca.gov/about/legislation/SenateBills.pdf>
- By Author Name: <http://www.post.ca.gov/about/legislation/SenateAuthors.pdf>

Bills with a Commission position:

<http://www.post.ca.gov/about/legislation/position.doc>

REPORT DATE: November 30, 2004

| RECAP OF 2003-2004 LEGISLATIVE SESSION | | |
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| Bill | Summary and Position (Updated November 30, 2004) | Status |
| AB 20 (Lieber) | <p>This bill no longer applies to POST</p> <p>Victims of Crime: This bill would extend existing accommodations in court for juveniles to dependent persons with substantial mental impairment. It would make it a criminal offense when mandated reporters conceal abuse or sexual abuse of dependent persons. It would add other protections for the developmentally disabled and dependent persons, as specified.</p> <p>Commission Position: Neutral</p> | Chapter Number 823, Statutes of 2004 |
| AB 991 (Negrete McLeod) | <p>Peace Officer Training – SWAT: Requires POST to develop and deliver guidelines and training (three courses) on SWAT. Agencies are not required to participate in the training or apply the guidelines since they are recommendations only. No funding provided to cover the costs of developing and delivering guidelines and training.</p> <p>Commission Position: Neutral</p> | Chapter Number 624, Statutes of 2003 |
| AB 1102 (Yee) | <p>Peace Officer Training Related to Mental Illness: The bill would extend the time during which POST is required to develop a report for the Legislature on the impact of training previously developed to address mental illness and the developmentally disabled. Requires POST to assess and report on the training used by San Jose and San Francisco Police Departments in addressing the mentally ill.</p> <p>Commission Position: Neutral</p> | Chapter Number 269, Statutes of 2003 |
| AB 1113 (Garcia) | <p>Supplemental Firefighting Services Fund: The bill would establish in each county treasury a Supplemental Firefighting Services Fund (SFSF) to be allocated for use by front-line fire services. Funds would be derived from penalties assessed on fines for criminal offenses.</p> <p>Commission Position: Oppose</p> | Dead |
| AB 1198 (Dutton) | <p>Peace Officer Records: The bill would extend existing confidentiality protection of peace officer and custodial officer personnel records to the Commission and protect personnel records of former peace officers when they are no longer employed by a law enforcement agency both for the agencies and POST.</p> <p>Commission Position: Support (Commission Sponsored)</p> | Senate Public Safety Committee - failed |
| AB 1383 (Wesson) | <p>Amended to Antiterrorism: Antiterrorism Fund: <i>No longer applies to POST</i></p> <p>Commission Position: None</p> | Vetoed |

| RECAP OF 2003-2004 LEGISLATIVE SESSION | | |
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| Bill | Summary and Position (Updated November 30, 2004) | Status |
| AB 1669 (Chu) | <p>Peace Officers: Police Psychologists: This bill would require that evaluation of peace officer applicants be done by a licensed physician and surgeon or psychologist that must meet specified training and experiential requirements in the diagnosis and treatment of emotional and mental disorders. It would require state and local employers of peace officers to use licensed physicians, surgeons, and psychologists meeting specified requirements to perform peace officer applicant emotional and mental screening evaluations.</p> <p>Commission Position: Support</p> | Chapter Number 777, Statutes of 2003 |
| AB 1941 (Chan) | <p>Criminal Procedures: Arrest of Caretaker Parent: This bill would require law enforcement and protective services agencies to develop protocols to handle minor children when a caretaker parent is arrested and entitle such persons be authorized three additional phone calls to arrange for child care. It would require POST to establish minimum standards and training for local law enforcement to ensure child safety when such parents are arrest. No additional funding to develop the standards and training is provided.</p> <p>Commission Position: Neutral</p> | Senate Appropriations Committee - held under submission |
| AB 2468 (Garcia) | <p>Criminal Justice Administrative Fee: This bill would authorize collection of a criminal justice administrative fee from persons released on bond or on their own recognizance (OR) upon conviction to address the initial cost to local law enforcement agencies for booking them. The collection of the fee (for OR arrests) at the time of conviction would negatively impact the Peace Officers' Training Fund, the source of funding for POST to provide law enforcement training and reimbursement to cities and counties.</p> <p>Commission Position: Oppose</p> | Dead |
| AB 2778 (Maze) | <p>Community Colleges Funding: Faculty: This bill would require the Board of Governors of the California Community Colleges to develop regulations on the conditions in which waivers would be granted to community colleges to deviate from the requirement of having at least 75% of its faculty employed full time. Colleges unable to achieve this goal would have the district's budget reduced. The bill would potentially impact primarily vocational education courses, including law enforcement training provided by the community college system.</p> <p>Commission Position: Oppose unless amended</p> | Dead |
| SB 188 (Cedillo) | <p>Commission on Peace Officer Standards and Training – Reduction of Commission Members: This bill would eliminate one position membership to the Commission from the position of sheriffs or chiefs or police or peace officers nominated by their respective sheriffs or chiefs of police. This would reduce the total membership of appointed commissioners from 14 to 13.</p> <p>Commission Position: Neutral</p> | Dead |

| RECAP OF 2003-2004 LEGISLATIVE SESSION | | |
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| Bill | Summary and Position (Updated November 30, 2004) | Status |
| SB 221 (Romero) | Peace Officer – Felony Convictions/Commission Authority to Cancel Certificates: This bill would disqualify any person from being a peace officer who has been found guilty of a felony, and remove authority of the Commission to withdraw, revoke, or cancel certificates except for those obtained by misrepresentation, fraud, or administrative error, or to issue regulations that provide for the revocation or withdrawal of certificates. Commission Position: Support | Chapter Number 297, Statutes of 2003 |
| SB 635 (Dunn) | Emergency Medical Services: This bill would authorize the County of Santa Barbara to establish an emergency medical services (EMS) fund that would be funded by specified revenue directed to the State Penalty Fund. EMS funds would be used to partially reimburse specified service providers for the cost of emergency medical services provided to persons who are unable to pay for their care. Commission Position: Oppose | Chapter Number 524, Statutes of 2004 |
| SB 780 (Torlakson) | Vehicle Violations-Automated Enforcement Systems: This bill would modify the method of enforcement involving “automated enforcement systems” that photographically record Vehicle Code violations at traffic control signals and rail crossings; remove violations photographed by an automated enforcement system from those addressed through criminal adjudication and, instead, handle them as civil violations, and establish an administrative appeal process. Commission Position: Oppose Unless Amended | Dead |
| SB 1234 (Kuehl) | Crimes: Civil Rights – Hate Crime: This bill would make substantial changes to hate crimes; it would require the Commission, using existing resources to develop guidelines and training about mentally disabled persons, crimes against the homeless, and other specified subjects related to hate crime. Commission Position: Neutral | Chapter 700 |
| SB 1900 (Burton) | Forensic DNA: This bill would establish a DNA Collection Reimbursement Fund in each county, authorize collection and distribution of moneys collected by each county related to DNA-related investigations, and establish the DNA Innocence Protection Fund. The funding would be through an additional penalty assessment, which would impact the State Penalty Fund. Commission Position: Oppose unless amended | Assembly Appropriations Committee - hearing postponed |